

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3965/2022

Smt. Padma W/o Adv. Narayan Bhattad,
aged about 68 Yrs., Occ. Household,
R/o 'Shivam', Abhyankar Road, near
Dr. Mahurkar Hospital, Dhantoli,
Nagpur.

... Petitioner

- Versus -

1. The Income Tax Central Processing
Center, through its Assistant Director
of Income Tax, CPC, having office at
CPC, Post Bag No.1, Electronic
City Post Office, Bengaluru,
Karnataka 560 500.

2. The Pr. Commissioner of Income
Tax Nagpur -1, Nagpur, having
office at Aayakar Bhavan, Telangkhedi
Road, Civil Lines, Nagpur - 440 001.

... Respondents

Mr. S.V. Bhutada, Advocate for the Petitioner.

Mr. Anand Parchure, Advocate for Respondent Nos.1 and 2.

**CORAM : SUNIL B. SHUKRE AND
M. W. CHANDWANI, JJ.**

DATE : 8.12.2022

ORAL JUDGMENT (Per Sunil B. Shukre, J.)

Heard. **Rule.** Rule made returnable forthwith.

Heard finally by consent of learned counsel for the parties.

2. Copy of the communication dated 5.12.2022, supplying instructions to the learned counsel, is placed on record by the learned counsel for respondent Nos.1 and 2. It is marked "A" for identification. The document "A" shows that the Income Tax Officer is willing to recall the impugned order and reconsider the issue and, therefore, a request has been made to inform this Court regarding remitting back of the dispute to the Jurisdictional Assessing Officer with liberty to allow the claim of the assessee after verification and in accordance with law, with a direction to the petitioner to cooperate during the said proceedings.

3. Learned counsel for the petitioner has no objection and, therefore, petition is disposed of by treating the impugned order

as recalled and the matter is remitted back to the Jurisdictional Assessing Officer with liberty to allow the claim of the assessee after verification and in accordance with law with direction to the petitioner to cooperate during the said proceedings.

4. Rule is made absolute in the above terms. No orders as to costs.

(M. W. CHANDWANI, J.)

(SUNIL B. SHUKRE, J.)